

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

MOSHE SAPERSTEIN, et al., )  
)  
Plaintiffs, )  
)  
vs. ) Case No. 04-20225-CIV  
)  
THE PALESTINIAN AUTHORITY; )  
THE PALESTINE LIBERATION )  
ORGANIZATION, )  
)  
Defendants. )  
\_\_\_\_\_ )

VIDEOTAPED 30(b)(6) DEPOSITION OF  
SALAM FAYYAD  
EAST JERUSALEM, ISRAEL  
MARCH 9, 2010

REPORTED BY: BRENDA MATZOV, CA CSR NO. 9243

1 introduction made -- and I do not know exactly when the  
2 proceeding made -- you know, started for the record --  
3 specifically in relation to the reference to the place  
4 where -- where we are meeting. I accept exactly the way  
5 in which it was characterized by the reporter. And I  
6 accept that, but not the reference to Jerusalem that was  
7 made before the outset. I just want to make that clear.

8 Q. Duly clarified.

9 A. Thank you.

10 Q. Should I ask the question again?

11 A. Yes.

12 Q. What is your name?

13 A. My name is Salam Fayyad.

14 Q. Is that your full name?

15 A. Salam Khalid Abdullah Fayyad is my full name.

16 Q. And what is your address?

17 A. I reside with my wife in East Jerusalem in

18 Beit Hanina.

19 Q. And what is your date of birth?

20 A. April 12, '52.

21 Q. And where were you born?

22 A. In Nablus.

23 Q. Can you briefly summarize your educational  
24 background?

25 A. First nine grades in Tulkarm. Last three

1 years of schooling in Jordan. First degree, American  
2 University of Beirut, Lebanon, '71, '75. Then I got an  
3 MBA, 1980, from St. Edward's University.

4 Q. Which university?

5 A. St. Edward's University, Austin, Texas. And  
6 a Ph.D. in economics, University of Texas at Austin,  
7 1986.

8 Q. And do you speak, read, and write English --

9 A. I do.

10 Q. -- fluently?

11 A. I believe I do.

12 Q. Okay. So it's no problem that you're  
13 testifying in English?

14 A. I understand what you're saying.

15 Q. And you understand what you're saying?

16 A. (Witness nods head.)

17 Q. Can you -- what year did you finish your  
18 education?

19 A. 1986.

20 Q. I'm sorry?

21 A. 1986.

22 Q. Is it fair to say that, from 1952 [sic]  
23 through 1986, you were in some form of school, not  
24 working?

25 A. No. I did work.

1 Q. You -- you worked in between the -- the  
2 degrees or during --

3 A. Yes, I did work between degrees.

4 Q. -- or -- or during -- or during your studies?

5 A. Both, as a matter of fact. I did work between  
6 degrees, and I worked during my studies.

7 Q. Can you summarize your work background up  
8 until 1986?

9 A. Yes. After graduating from college in '75,  
10 I worked in Amman, Jordan in private business as an  
11 employee. And then that continued until I left for the  
12 United States to work on that MBA which I mentioned to  
13 you, which I finished in 1980.

14 Q. Uh-huh.

15 A. Then after that, I went to the University of  
16 Texas at Austin, during which time, in the latter years  
17 of my education, I did work at the university, teaching  
18 and research. Yeah, that takes us through 1986.

19 Q. And in 1986, when you finished in the  
20 university, when you finished your Ph.D., where --  
21 did you go to work?

22 A. I went -- I mean, I worked at the Yarmouk  
23 University, Jordan, for two semesters. I remember --  
24 I recall the spring and fall semester of 1986. In the  
25 summer between the two semesters, I worked for a brief

1 period as a visiting scholar at the Federal Reserve Bank  
2 of St. Louis.

3 Q. So how many years did you reside in the United  
4 States altogether?

5 A. In all, I believe 17, 18 years, both studying  
6 and working subsequently, beginning January '87 at the  
7 International Monetary Fund.

8 (Brief court reporter clarification.)

9 THE WITNESS: International Monetary Fund  
10 beginning January 1987. And I was there --

11 Q. BY MR. TOLCHIN: Was that in Washington?

12 A. Yes. In Washington, DC. And I stayed there  
13 until late 1995.

14 Q. So are you a U.S. citizen?

15 A. I am not.

16 Q. Are you a permanent resident of the United  
17 States?

18 A. I'm not.

19 Q. On what -- how did you remain in the United  
20 States that many years?

21 A. Well, I -- while I was studying, I was there  
22 on a visa, student visa.

23 Q. Uh-huh.

24 A. And during the brief -- while I -- I worked at  
25 the Federal Reserve Bank of St. Louis, I also was on a

1 Strip. But that's the extent of -- of my knowledge of  
2 the case.

3 Q. Do you know what kind of attack?

4 A. I do not know.

5 Q. Do you know who carried out the attack?

6 A. I don't either.

7 Q. Have you asked anyone to conduct any kind of  
8 investigation to find out who did this attack?

9 A. Mr. Tolchin, the case, if I recall, relates  
10 to a time period when I was not with the -- with the  
11 Palestinian Authority. The time period that the  
12 deposition covers is before -- before my time with  
13 the Palestinian Authority. So I was not in a position  
14 to -- to do. And that's basically what it is.

15 Q. But you -- what is your position with the  
16 Authority today?

17 A. I am the Prime Minister of the Palestinian  
18 National Authority today.

19 Q. And as the Prime Minister, what are your  
20 duties?

21 A. You know, to manage the affairs of the  
22 Palestinian people in all areas of governance and  
23 service delivery, in -- in all areas.

24 Q. Is it fair to say you're the head executive  
25 of the Palestinian Authority?

1 A. The head executive under our basic law is the  
2 President --

3 Q. Okay.

4 A. -- of the Palestinian National Authority.  
5 I'm head of government.

6 Q. Head of the government?

7 A. Yes.

8 Q. Are there ministers who report to you?

9 A. There are.

10 Q. And many people work in the various  
11 ministries?

12 A. Correct.

13 Q. And, ultimately, they report to you?

14 A. Correct.

15 Q. And if you wanted to ask somebody to conduct  
16 an investigation about what happened to Mr. Saperstein,  
17 you could do that as the Prime Minister; correct?

18 MR. ROCHON: We're going to object on  
19 privilege and -- and -- attorney-client privilege  
20 because communications on the case are -- and -- and --

21 MR. TOLCHIN: I didn't ask him about his  
22 lawyers.

23 MR. ROCHON: But if -- once the lawsuit is  
24 brought and the Prime Minister is working with counsel  
25 on it, communications --

1 Q. And then to the International Monetary Fund  
2 in 1987?

3 A. Yes.

4 Q. And you stayed there until 1995?

5 A. In --

6 Q. Is that correct?

7 A. -- Washington. In Washington.

8 Q. Was that uninterrupted from 19 --

9 A. Uninterrupted.

10 Q. -- 87 to 1995?

11 A. Uninterrupted. Yes.

12 Q. What was your job at the IMF?

13 A. Several positions.

14 And, by the way, just to make sure it is  
15 stated correctly, I said in Washington because my  
16 employ -- employment with the fund extended beyond my  
17 stay in Washington. I subsequently represented the  
18 fund. I acted as a representative to the Palestinian  
19 Authority.

20 Q. I'll come to --

21 A. So --

22 Q. -- what happened af --

23 A. -- that was -- yeah.

24 Q. I'll come to -- I'll ask you next about what  
25 happened --



1 A. Okay.

2 Q. -- in 1995.

3 A. And I just wanted to make sure that the record  
4 reflects accurately --

5 Q. Okay.

6 A. -- my employment.

7 Q. I appreciate that.

8 A. Yeah.

9 Q. So what -- what was -- what were your roles  
10 at the IMF?

11 A. Several positions. I -- I started as an  
12 assistant to executive director. Subsequently became  
13 advisor to executive director. My last position with  
14 the IMF was senior resident representative to the  
15 Palestinian Authority.

16 (Brief court reporter clarification.)

17 THE WITNESS: Senior resident representative  
18 to the Palestinian Authority. And that happened after  
19 '95 -- after late '95.

20 Q. BY MR. TOLCHIN: That was from 1995 until  
21 when?

22 A. 2002. Early 2002.

23 Q. Okay. And what happened? Did you leave the  
24 IMF in 2002 and go work someplace else?

25 A. Yes. I worked as a regional manager of the

1 supervise those branches?

2 A. Yes. I was the general manager of all of  
3 them. Yeah.

4 Q. And what happened in 2002 as far as your  
5 employment is concerned?

6 A. I joined the Palestinian Authority as Finance  
7 Minister in June 2002.

8 Q. You joined as Finance Minister?

9 A. Yes.

10 Q. And how long did you stay as Finance Minister?

11 A. I stayed in that capacity until late 2005,  
12 November 2005.

13 Q. Okay. And what happened in 2005 as far as  
14 your professional --

15 A. Well, I -- I ran for office, for the  
16 legislative elections that took place in January of  
17 2006. And -- well, technically, I'm still a member  
18 of the Palestinian Legislative Council in a way.  
19 It's not been meeting for a number of years. But I  
20 was -- I was elected. I won a seat in the legislature.

21 Q. So let me clarify. In 2005, you ran for --

22 A. 2006. January 2006.

23 Q. You ran for office?

24 A. Correct.

25 Q. And the office you were running for was a

1 mem --

2 A. Member --

3 Q. -- membership in the Legislative Council?

4 A. That is correct.

5 Q. And you were elected to the Legislative  
6 Council?

7 A. I was.

8 Q. And how long was that term of office supposed  
9 to be?

10 A. Supposed to be for a year.

11 Q. So it should have ended in 2009?

12 A. It should have ended January --

13 (Brief court reporter clarification.)

14 THE WITNESS: It should have ended in -- in  
15 January of this year, a couple of months ago.

16 Q. BY MR. TOLCHIN: January of 2010?

17 A. January 2010.

18 (Brief court reporter clarification.)

19 MR. TOLCHIN: She only has ten fingers.

20 THE WITNESS: Pardon?

21 MR. TOLCHIN: She only has ten fingers.

22 (Last answer read.)

23 THE WITNESS: January of this year. January  
24 2010.

25 Q. BY MR. TOLCHIN: And did your term end?

1 A. It -- it was supposed to end. It has not.

2 The term of the council -- the legislature was extended  
3 by the decision of the Palestinian Central Council until  
4 we're able to have elections.

5 Q. Okay. Now, after you were elected to the  
6 Legislative Council --

7 A. Yes.

8 Q. -- did you receive some other office?

9 A. No, I did not. I just worked in -- in that  
10 capacity. And that continued to be the case until  
11 spring 2007.

12 Q. And what happened in 2007?

13 A. 2007, I joined the government again as  
14 Minister of Finance. That was March 2007.

15 Q. And how long did you stay as Minister of  
16 Finance?

17 A. Until June 2007. Three months. Three months.

18 Q. And then what happened?

19 A. There was a violent takeover of power by  
20 Hamas in Gaza. And -- and that basically brought the  
21 government down.

22 Q. And do you have a position in the government  
23 today?

24 A. I am the Prime Minister of the Palestinian  
25 Authority.

1 Q. And how did you become the Prime Minister?

2 A. I was appointed to that position by the  
3 President.

4 Q. And who was the Prime Minister before you?

5 A. The Prime Minister before me was Ismail  
6 Haniyeh.

7 Q. And how did he get to be Prime Minister?

8 A. After the 2006 elections, he was the head  
9 of the Hamas parliamentary list. And he was named --  
10 they nominated him as their nominee for the position  
11 of Prime Minister. And he was named as Prime Minister.  
12 He formed the government.

13 Q. So he was elected as Prime Minister?

14 A. He was elected as a member of legislature,  
15 not as Prime Minister. You do not get elected as  
16 Prime Minister in those systems of government. You're  
17 elected to the Council as a legislator. But then the  
18 designation as Prime Minister, that happens after a  
19 process of consultation and nomination by the various  
20 blocks. And even that Hamas won the majority, it  
21 was not out of the ordinary for the head of their  
22 parliamentary list to be named as Prime Minister.  
23 And that's how he became Prime Minister. But he was  
24 not elected as Prime Minister.

25 MR. TOLCHIN: Forgive me. I'm just looking

1 Q. And he was still Prime Minister of the PA in  
2 2004; correct?

3 A. He was. Yes.

4 Q. Yes? Okay.

5 Besides holding positions in the PA, does or  
6 did Mr. Qurei hold any positions in the PLO?

7 A. No. I don't believe he did.

8 Q. He never did, never at any point in history?

9 A. He currently is a member of the PLO Executive  
10 Committee. But he was not then. This is all recent.

11 Q. Okay. So today he's a member of the  
12 Executive --

13 A. Today he is. But he wasn't at the time.

14 Q. Okay. What is the Executive Committee?

15 A. The Executive Committee is an organ of  
16 the Palestine Liberation Organization elected by the  
17 Palestinian National Council to act as its executive  
18 so to speak.

19 Q. Okay. Can you explain what is the PLO, what  
20 is the PA, and what is the connection between them?

21 A. PLO is -- is the highest, in terms of  
22 seniority, in the political system of Palestinian  
23 people. It's the highest organ. And it was  
24 recognized and continues to be as the sole legitimate  
25 representative of all Palestinian people. That

1 continues to be the case today.

2 After Oslo Accords, the Palestinian Authority  
3 was established. And it was established as a product  
4 of an agreement between the PLO, acting on behalf of  
5 the Palestinian people, and the Government of Israel.  
6 As such, therefore, the Palestinian Authority, in terms  
7 of hierarchy, yes, it is a part of the system, the  
8 highest organ of which is the PLO. But it -- it was  
9 charged a task specifically with managing the affairs  
10 of the Palestinian people in the occupied Palestinian  
11 territory. So there is that relationship.

12 The head of the Palestinian National Authority  
13 and the head of the PLO Executive Committee were the  
14 same person since the inception of the Palestinian  
15 Authority.

16 (Brief court reporter clarification.)

17 THE WITNESS: Were the same person. First,  
18 late President Yasser Arafat, at the same time chairman  
19 of the PLO Executive Committee. Currently, President  
20 Mahmoud Abbas, who also is chairman of the PLO Executive  
21 Committee.

22 Q. BY MR. TOLCHIN: So you mentioned the  
23 Oslo --

24 A. Yes.

25 Q. -- Accords.

1 What is the Oslo Accords?

2 A. The Oslo Accords are the accords that led to,  
3 among other things, the creation of the Palestinian  
4 Authority.

5 Q. Is it accurate to say that the Oslo Accords  
6 was an agreement between Israel and the PLO?

7 A. That's exactly what I said.

8 Q. Okay.

9 A. Yes.

10 Q. And the Oslo Accords created the PA --

11 A. That's correct.

12 Q. -- to administer certain territories?

13 A. That is correct.

14 Q. And the PLO existed before the PA?

15 A. That is correct.

16 Q. And does the PLO -- withdrawn.

17 When did the PLO begin to exist?

18 A. 1964.

19 Q. And what is or was the function of the PLO?

20 And if it changed over time, you could tell me that.

21 A. It acted as a representative of the  
22 Palestinian people, assumed the responsibility of  
23 protecting the interests of Palestinian people and  
24 representing them. And it started to gain recognition  
25 as such first in the region, then internationally



1 beginning in 1974, as a matter of fact, when it was  
2 recognized as the sole legitimate representative of  
3 the Palestinian people by Arab countries.

4 And over the period since then, through 1993,  
5 other countries joined in in that recognition. In  
6 1993, in the context of the Oslo Accords, the PLO was  
7 recognized as such by the State of Israel. That was  
8 part of what is referred to under the Oslo Accords as  
9 the Declaration of Mutual Recognition, when the State  
10 of Israel recognized the PLO as a representative of  
11 Palestinian people. And the PLO, in return, recognized  
12 Israel's right to exist in peace and security.

13 Q. And does the PLO have components or  
14 constituent parts?

15 A. Yes. The highest council of the PLO is the  
16 Palestinian National Council, which, if you want, refers  
17 to a structure that can be thought of as a parliament,  
18 if you will, several hundred delegates. Within that,  
19 there is the Palestinian Central Council, which is a  
20 smaller version of that bigger body. And it acts on  
21 its behalf in the event that the Palestinian National  
22 Council cannot meet.

23 And then, of course, in terms of executive  
24 authority, it is delegated to the -- the -- the  
25 Executive Committee of the PLO. And the Executive

1 Committee of the PLO is elected by the Palestinian

2 National Council. These are the rules.

3 Q. Okay. And are there other organizations that  
4 are part of the PLO?

5 A. Factions. Yeah.

6 Q. Factions. Okay.

7 A. Yeah. Palestinian factions. Yes.

8 Q. And what are some of the larger factions?

9 A. The largest by far is Fatah.

10 Q. Okay. Are there others?

11 A. Yes. There is, for example, Democratic Front  
12 for the Liberation of Palestine. You know, I'm now  
13 going through the translation from Arabic to English.  
14 There is Nidal Shabi (phonetic). There is Palestine  
15 Liberation Front. There's several factions.

16 Q. What is Black September?

17 A. Black September is a name that a group assumed  
18 and took -- now, if I recall correctly -- back in 1970,  
19 claiming at that time that they were a faction of Fatah  
20 or something like that.

21 Q. Uh-huh.

22 A. But it's a self-assumed, you know,  
23 characterization.

24 Q. Does it exist today?

25 A. No. I don't believe it does.

1 Committee of Fatah in the convention that was held in  
2 August of last -- of last year, 2009. And he may have  
3 been as well, in fact, as a member of the so-called  
4 Revolutionary Council, which is a broader organ of --  
5 of -- of Fatah.

6 Q. Okay. Could you tell us, please, what he --

7 A. But I'm not really sure about the earlier.

8 I mean --

9 Q. Fair enough.

10 A. -- could have been. I'm -- I'm not sure.

11 But -- but I believe he was.

12 Q. Could you tell us, please, what is Fatah?

13 A. It's one of those Palestinian factions I

14 referred to that make up the PLO. And it was -- I

15 mean, it was and continues to be -- has been always

16 the -- the largest of the factions.

17 Q. What does Fatah do? For example, you told us

18 that the PA administers certain territories.

19 A. Yeah.

20 Q. So what -- what does Fatah do?

21 A. Well, Fatah now acts like a -- a political

22 party acts in other countries around the world. I mean,

23 they are like other factions, to me like a political

24 party.

25 Q. Okay. Besides functioning like a political

1 party, has Fatah ever had any other roles?

2 A. Ever? Yes.

3 Q. Since its inception.

4 A. I'm talking about, you know, the period after  
5 the PA came into existence. I mean, after the PA came  
6 into existence and after the Oslo Accords in late  
7 2000 -- no -- in 1993, they became more or less like  
8 a political party, like other Palestinian factions.

9 Q. And what did they do before the Oslo Accords?

10 A. I mean, they were like other factions,  
11 liberation movements outside of Palestine in different  
12 places in the region --

13 Q. What -- what --

14 A. -- Jordan, Lebanon, Syria, then Tunisia  
15 towards the very end. Like other factions, other  
16 Palestinian factions.

17 Q. What do you mean by "liberation movement"?

18 A. Our -- our political program is a program of  
19 Palestinian -- of the Palestine Liberation Organization,  
20 PLO, is one that does have as achieved goal ending the  
21 occupation that began in 1967 and the establishment of  
22 a state of Palestine on the territories occupied in  
23 1967.

24 Q. When was Fatah established? When was it  
25 created?

1 A. '64, '65.

2 Q. So is it your testimony, sir, that Fatah was  
3 established to end the occupation in 1967, but it was  
4 established before that occupation began?

5 A. No, no. No. I -- what I said was clear.  
6 I said the program of the PLO. And by that, it is  
7 meant and it is well understood to be the program of  
8 the PLO that was articulated and announced in Algiers  
9 in 1988. That's what we're talking about. That  
10 predated Oslo Accords but came nearly 20 years after  
11 the Israeli occupation took place in 1967.

12 And Fatah has a faction within the PLO and  
13 was -- definitely the PLO would not have adopted that  
14 position had Fatah been in disagreement with that  
15 position.

16 Q. But it is accurate that Fatah was established  
17 before the occupation began?

18 A. Oh, yes. That is true. That is true.

19 Q. Do you know what activities Mr. Barghouti  
20 carried out in the time frame of 2000 to 2002 on behalf  
21 of Fatah?

22 A. No. I'm not really aware of precisely what  
23 Marwan Barghouti did as a member of Fatah during that  
24 period.

25 Q. Do you -- do you know --

1           A.     He was -- he was active during the earlier  
2     years of the Intifada, taking part in demonstrations.  
3     I -- as a matter of fact, Marwan Barghouti was arrested  
4     and jailed by Israeli authorities before I joined the  
5     Palestinian Authority. And I remember seeing him on --  
6     on television, taking part in demonstrations in  
7     connection with the earlier years of the uprising.

8           Q.     Now, you used a term, sir, "Intifada"?

9           A.     Correct.

10          Q.     Could you tell us what that term means?

11          A.     Well, you know, if you listen to the  
12     commentary today, it definitely seems to mean different  
13     things to different people. The -- the term "Intifada"  
14     came into being in connection with what is referred to  
15     and known as the First Intifada going back to 1987 and  
16     which took the form at the time it -- it happened as an  
17     expression of rejection of the Israeli occupation to  
18     the form of what might be characterized as disobedience  
19     and -- in the end and expression of rejection of the  
20     occupation. And it was, particularly in the earlier  
21     years of it, nonviolent.

22                     That was not the case in the Second Intifada,  
23     which broke out in late 2000, which was characterized  
24     by violence from earlier years.

25          Q.     What type of violence?

1 A. All kinds of violence.

2 Q. Violence including explosions?

3 A. Yes.

4 Q. Molotov cocktails?

5 A. That too.

6 Q. Shootings?

7 A. Yes.

8 Q. Suicide bombings?

9 A. Yes.

10 Q. Who organized the Second Intifada?

11 A. I do not know if one can really say that it  
12 was organized, you know. The Intifada actually is --  
13 as the word -- the term suggests, is some -- it's an  
14 uprising. It's -- it's -- it's something that basically  
15 starts from a bottom up. It's not that somebody calls  
16 from the top. You hear that expression used today a  
17 lot.

18 If I may elaborate a little bit to basically  
19 explain to you where all of this comes from. Yesterday,  
20 I had a -- a meeting with the media and all talking  
21 about various references to Intifada, people -- people  
22 calling for Intifada. And I sort of really, in a way,  
23 took issue with that in a sarcastic way, saying it's  
24 not something you call for. I mean, Intifada, by  
25 definition, is something that happens. As recently

1 as yesterday I was saying that. So I don't know if  
2 it is fair or right to say that it was organized.  
3 I'm not sure one can say that.

4 Q. Would you agree with me that, in order for  
5 somebody to carry out a suicide bombing, just as an  
6 example, they have to obtain explosives, disguise it in  
7 a certain way, organize logistics, get to the location?

8 A. Yeah. I --

9 Q. They need a certain amount of intelligence  
10 about where to go and how to do it. There's -- there's  
11 a lot of steps before you can carry out that attack.

12 Would you agree?

13 A. That's a reasonable supposition. I was  
14 answering a different question.

15 Q. Okay.

16 A. I was answering a question, as I understood  
17 it, that said who organized the Intifada in the sense  
18 of getting it started. But what you have said is a  
19 reasonable characterization.

20 Q. So once the Second Intifada started --

21 A. Yes.

22 Q. -- were there any organizations, to your  
23 knowledge, that were involved in organizing Intifada  
24 activities?

25 A. Were there organizations?



1 Q. Yes.

2 A. You know, I do not know exactly how, you know,  
3 this happened in the form of organization. I -- I  
4 accept the supposition that, for certain things to  
5 have happened in the way they did, there must have  
6 been some organization. Exactly how that worked out,  
7 I'm not really sure I know the answer to that question.

8 Q. Do you know who would know that?

9 A. Pardon me?

10 Q. Would somebody else at the Palestinian  
11 Authority have that information?

12 A. I -- I have not encountered a Palestinian  
13 Authority official who says he knows as to how this  
14 is -- this was organized.

15 Q. Uh-huh. Would you agree with me, sir -- and  
16 maybe you don't. I don't want to put words in your  
17 mouth. But let me ask it differently.

18 Do you personally have a problem with the idea  
19 of somebody conducting a suicide bombing in a restaurant  
20 where people are just sitting around and eating?

21 A. I do.

22 Q. You do?

23 A. I do have a problem with that. For sure.

24 Q. Okay. It's not something you personally  
25 approve of?

1 A. Absolutely not. I wouldn't approve of any  
2 such act.

3 Q. Are you aware that such attacks were carried  
4 out as part of the Second Intifada?

5 A. I am.

6 Q. Okay. As Prime Minister of the Palestinian  
7 Authority, have you conducted any investigation to  
8 determine who did those attacks?

9 A. Just to place matters into perspective and  
10 the right context, I became Prime Minister in June of  
11 2007 --

12 Q. Uh-huh.

13 A. -- against the backdrop of a country on the  
14 verge of complete collapse, with Gaza having gone the  
15 way it did and circumstances that are well-known, but  
16 with conditions of -- of chaos and total lawlessness  
17 reigning supreme and it was back as well. That's what  
18 I really had to deal with, to stabilize things and  
19 establish conditions of law and order. That's more  
20 than any person in the government, you know, can handle  
21 given the circumstances.

22 To think that -- given, you know, what we  
23 really had to contend with -- and when I say that the  
24 Authority -- the country was really on the verge of  
25 complete collapse with acts of violence, retribution,

1 In this case --

2 A. Yeah.

3 Q. -- the plaintiff was shot by a person with a  
4 rifle who was hiding by the side of the road as he was  
5 driving past.

6 Would you -- would I be correct that you  
7 personally do not approve of that type of random attack?

8 A. Absolutely.

9 Q. Absolutely you do not approve?

10 A. I do not approve of that at all. I do not  
11 approve of violence. Everybody knows that, as a matter  
12 of record. I stand on that, and I have been promoting  
13 that message of nonviolence.

14 Q. And --

15 A. Yeah.

16 Q. -- would it be accurate to say that you also  
17 did not conduct any investigation into the issue of who  
18 carried out this shooting attack against Mr. Saperstein?

19 A. No. It's fair to say that. No, I have not.

20 Q. Or -- or any other --

21 A. Or any other.

22 Q. -- similar attack?

23 A. No, I haven't.

24 Q. Okay.

25 A. Prior to my assumption of duties as Prime

1 Planning and Cooperation in March of 2001?

2 A. I believe it was Nabil Shaath who was.

3 Q. Nabil Shaath?

4 A. I believe.

5 Q. But you're not sure?

6 A. I could check that. But I'm -- I'm -- I'm  
7 fairly sure. Minister of Planning and International  
8 Cooperation, he -- yeah, I believe it was Nabil Shaath.

9 Q. Okay. I'm going to move on to a new topic.

10 Does anyone need a bathroom, cigarette break,  
11 tape change, or just move on?

12 A. Let's move on.

13 Q. Okay.

14 A. Thanks for the offer anyway.

15 Q. The witness yesterday needed a cigarette break  
16 very often.

17 Do you know about any funds received by the  
18 Palestine National Fund, PNF, between October 1st, 2000,  
19 and February 18th, 2002?

20 A. Funds?

21 Q. Received by the PNF in the time frame of  
22 October 1, 2000, to February 18, 2002?

23 A. You know, I can tell you the -- what I said  
24 before. I was not with the Palestinian Authority at the  
25 time.

1 Q. Uh-huh.

2 A. But money, I mean, in terms of sources of  
3 funding, after the PA came into being, the PLO, given  
4 everything I know now -- it wasn't during those years --  
5 but ceased to have its own independent sources of  
6 funding largely. I mean, so, you know, funding for  
7 its own operations did come from the PA.

8 (Brief court reporter clarification.)

9 THE WITNESS: "Did."

10 Q. BY MR. TOLCHIN: So the PA --

11 A. Well, I -- I assume basically, during that  
12 time period, the -- the PNF did get money from the PA.

13 Q. Okay. Are -- are you testifying about  
14 something you know for sure, or you're just surmising?

15 A. Well -- well, given what I know now -- I mean,  
16 I can tell you -- I mean, I -- I know now what is going  
17 on.

18 The -- the PNF disburses money, for example,  
19 to our representatives abroad, meaning like ambassadors,  
20 if you will. Now, that money, you know, comes from  
21 the PA to pay for the ambassadors. But given that the  
22 foreign affairs portfolio -- given its representational  
23 dimension is thought to be the purview of the PLO as  
24 a function that's handled by the financial organ of the  
25 PLO, which is the fund, the PNF. Money for that did

1     come from -- for example, did come from the PA. I mean,  
2     it -- it does come from the PA today.

3           Q.     So the --

4           A.     So -- so --

5           Q.     So the PA gives money to the PNF?

6           A.     Yes, it does.

7           Q.     Okay. Do you know -- are you -- do you know  
8     or are you just assuming that that was -- that -- that  
9     in the period of -- of October 2000 to February 2002  
10    that the PA gave money to the PNF?

11          A.     I know that to be the case today. And I  
12    assume it was the case before, meaning including the  
13    period that you talked about.

14          Q.     Did the PNF have any other sources of funding  
15    between October 2000 and February 2002?

16          A.     I do not know for sure as I told you. But  
17    as is well-known since the inception of Palestinian  
18    Authority, funding for Palestinians started to be  
19    directed exclusively and to be channeled exclusively  
20    through the PA.

21                 So for the most part, the answer will have  
22    to be that the funding for P -- PLO or to the PNF,  
23    the Palestine National Fund, comes mostly, if not  
24    completely, from the Palestinian Authority or it has  
25    been since the inception of Palestinian Authority.

1 That is what I assume has happened since the inception  
2 of the Palestinian Authority. That's what I know is  
3 happening today.

4 Q. Do you know how much money in total came from  
5 the PA to the PNF during the period of October 1st,  
6 2000, to February 18, 2002?

7 A. No, I don't.

8 Q. Okay.

9 A. I don't.

10 Q. Who does the PNF pay money to?

11 A. You know, PNF, as I told you, for example,  
12 they -- they pay our representational offices abroad,  
13 like embassies. They're not called embassies, but --  
14 in most places, they're not called that. But that's  
15 part of the -- of -- of what they do. Organizations  
16 affiliated with -- with the PLO as such. Like unions  
17 and -- and things like that, they get paid from the PLO  
18 and through the PNF. So that's what it is.

19 Q. Okay. Let me just go back to something for  
20 a second.

21 Have you ever been involved in any way with  
22 funding violent attacks?

23 A. No. Absolutely not.

24 Q. Have you ever been involved in the payment  
25 of rewards, let's call it, to people who carried out

1 violent attacks?

2 A. No.

3 Q. Have you ever been involved in paying benefits  
4 to families of people who died carrying out violent  
5 attacks?

6 A. We -- we have a -- we have programs, you know,  
7 social programs for families of people currently in  
8 Israeli jails on the charges that they were involved  
9 in acts of the kind that you describe.

10 Q. Uh-huh.

11 A. But those are in the nature of welfare  
12 programs for families. They're not in the nature of  
13 rewards for those who are currently in jail or otherwise  
14 have died.

15 Q. During the time that you were at Arab Bank --

16 A. Yes.

17 Q. -- were you in any way involved with  
18 transferring money to individuals who had carried  
19 out violent attacks or their family members?

20 MR. ROCHON: Mr. Prime Minister, I'm going  
21 to be objecting.

22 Just -- I know that you believe the scope is  
23 very broad even though there's a limited --

24 MR. TOLCHIN: Uh-huh.

25 MR. ROCHON: -- scope of -- for which he's



1 Reserve Board, the United States. It's a central bank  
2 more or less.

3 Q. Is it part of the Palestinian Authority?

4 A. It is.

5 Q. Back in the time that you were with the IMF,  
6 was Yasser Arafat still alive?

7 A. Yes.

8 Q. Yeah. And was he -- and what was his  
9 position?

10 A. President of Palestinian National Authority  
11 and chairman of the PLO Executive Committee.

12 Q. And was he personally involved in the finances  
13 of the Palestinian Authority?

14 A. Based on what I knew then, in -- in the  
15 sense of issuing instructions, but not in the sense  
16 of actually managing finances of the PA.

17 Q. Okay. Are you familiar with an individual  
18 named Muhammad Rashid?

19 A. Yes, I know him.

20 Q. And who is Muhammad Rashid?

21 A. He was economic advisor to late President  
22 Yasser Arafat.

23 Q. And when did he become the economic advisor  
24 to Mr. Arafat?

25 A. I don't know for sure. But I believe since

1 A. Yes.

2 Q. Who is Fuad Shubaki?

3 A. Fuad Shubaki, he -- this was before my days  
4 with the Palestinian Authority. And I believe he was --  
5 I believe -- I do not know that for -- for a fact. But  
6 I believe he was the -- I don't know if I would call him  
7 head of something. But he was in charge, I believe, of  
8 an entity that's called a Sachla (phonetic), which was  
9 a co-op for the security services.

10 Q. A co-op for --

11 A. Co-op for security services.

12 Q. What does that mean, "co-op for security  
13 services"?

14 A. Co-op is a co-operative for personnel in a  
15 security establishment, where they want to buy things  
16 basically, presumably for lower prices like other  
17 co-operatives.

18 Q. Okay. Did Mr. Shubaki have any func -- any  
19 role in the Palestinian Authority at any time?

20 A. He had -- that's -- that's what I recall about  
21 him. Again, I -- I really was not with the PA during  
22 that period. And by the time I joined the Palestinian  
23 Authority, he had already been under arrest. So I  
24 didn't have dealings with him.

25 Q. During the time that you were at the IMF but

1 stationed here --

2 A. Yes.

3 Q. -- did you conduct any inquiries or  
4 investigation into use of Palestinian Authority  
5 funds for activities involving violence?

6 A. I did. I did in -- in connection with --  
7 with charges made that PA funds were used to fund  
8 terror activities.

9 Q. And did you make a written report of that  
10 investigation?

11 A. You know, there was an investigation that  
12 was conducted by an organ of the European Union.  
13 They were look -- looking into allegations to that  
14 effect. And they discussed the matter with me. They --  
15 they inquired about it in a formal way. There was a  
16 commission of inquiry, if you will, that was designated  
17 to do that by the European Parliament.

18 Q. What I'm getting at is: Is there a -- a  
19 document that one could look at to learn more about  
20 the investigation that you've talked about today?

21 A. They -- they produced -- that commission of  
22 inquiry produced a report which they submitted to the  
23 European Parliament. But it's not a PA document.

24 Q. It's an IMF document?

25 A. No, no. No. It's a European Union document.

1 A. No, no.

2 Q. -- to fund terror activities?

3 A. No, no.

4 Q. No?

5 A. No.

6 Q. Okay. And then later, after you came -- after  
7 you became the Finance Minister --

8 A. That is correct.

9 Q. -- did you conduct any investigation in terms  
10 of -- into PA use of funds or use of PA funds for  
11 violent activities?

12 A. Yes. And that would be the -- the answer that  
13 I have just given to the question you just raised.

14 Q. So as Finance Minister, you cooperated with  
15 a --

16 A. Yeah, yeah.

17 Q. -- European --

18 A. Yeah.

19 Q. -- Union inquiry?

20 (Brief court reporter clarification.)

21 Q. BY MR. TOLCHIN: So as Finance Minister  
22 you cooperated with a European Union inquiry, which  
23 ultimately became a European Union report presented  
24 to the European Parliament --

25 A. That is correct.

1 Q. -- is that correct?

2 A. That is correct.

3 Q. Okay.

4 A. I can confirm that. Yes.

5 Q. And do you know the name of that report?

6 A. I think it was OLAF Report. OLAF.

7 Q. OLAF Report?

8 A. OLAF Report.

9 Q. And what year was the OLAF Report?

10 A. 2004, early 2005, within that time frame.

11 You know, I can't be 100 percent certain. But it was  
12 in that time frame.

13 Q. And do you know what time period the report  
14 covered? In other words, what period of time, looking  
15 back, was it analyzing?

16 A. As best as I can recall, it covered the  
17 earlier years of the Intifada because this was --

18 Q. The Second Intifada?

19 A. Second Intifada. It was based on -- or was --  
20 to the best of my recollection was a report that was  
21 prepared by an official of the Israeli government. The  
22 report was -- I believe was called the Naveh report,  
23 got wide circulation and the attention of many in the  
24 international community, including the European Union,  
25 European Parliament. And I believe it was against that

1 backdrop that the commission of inquiry was set up and  
2 commissioned and tasked to do what it did.

3 Q. Did you read the OLAF Report?

4 A. I did.

5 Q. And did you agree with it, disagree with it,  
6 agree with parts of it, disagree with parts of it?

7 A. Now, you know, you're talking about years  
8 back.

9 Q. Uh-huh.

10 A. And, you know, my own recollection and a  
11 number of those questions that were raised in the  
12 report -- now, if I'm not mistaken, by the way -- I  
13 really have to, you know, go back to refresh my memory  
14 in terms of when things actually happened in terms of  
15 time sequence. I read it long before -- long before  
16 I was asked questions about it by the commission of  
17 inquiry.

18 My own independent assessment of what was  
19 in the report, without at the time, you know, looking  
20 into each allegation as such, that there were a number  
21 of misconceptions as to the structure of PA finances  
22 and what certain modes of operation actually meant or  
23 entailed relative to the conclusions which the report  
24 came to. But there are a number of examples of that.

25 So I -- I thought -- my own impression was

1 that there was serious flaws in the report. There  
2 was -- in the events. There were flaws in the report,  
3 you know, conclusions relative to evidence, if you will,  
4 information, conclusions. The conclusions were not,  
5 you know, borne out by the facts of the situation.  
6 And I remember a number of examples of that. So that  
7 was before I actually was questioned on it or on the  
8 contents of that report in detail by that commission.

9 MR. ROCHON: If -- if we could, Mr. Tolchin,  
10 if you could -- his answer's about a report. Could you  
11 clarify which report?

12 MR. TOLCHIN: The OLAF Report.

13 MR. ROCHON: I -- I just wanted to make sure.

14 MR. TOLCHIN: Yeah. We all understood that.

15 Q. BY MR. TOLCHIN: Did the OLAF Report find  
16 that there were some PA funds that couldn't be  
17 accounted for?

18 A. No.

19 Q. No?

20 A. I believe the conclusion of -- of that report  
21 was that there was no evidence linking PF -- PA funds to  
22 funding terrorist activities.

23 Q. Are you familiar with an individual named  
24 Abdul Majeed Shoman?

25 A. Abdul Majeed Shoman?

1 connection with the problems that banks have from time  
2 to time, including Arab Bank, in conducting business.

3 Q. Are you aware of any payments or transfers of  
4 money made to the families of the perpetrators of the  
5 attack on Mr. -- in which Mr. Saperstein was injured?

6 A. No. I'm not aware.

7 Q. Okay. Are you familiar with a location called  
8 Bi'lin?

9 (Brief court reporter clarification.)

10 Q. BY MR. TOLCHIN: B-i-'-l-i-n.

11 A. Yeah. I -- I know the place. It's a little  
12 village near Ramallah.

13 Q. And how do you pronounce it?

14 A. Bi'lin.

15 Q. Bi'lin. Okay.

16 Did you personally visit Bi'lin?

17 A. Yes.

18 Q. How many times?

19 A. Several times.

20 Q. Did you ever attend a demonstration --

21 A. Yes.

22 Q. -- or rally at that location?

23 A. Yes.

24 Q. How many times?

25 A. Several times.



1 Q. As recently as last month?

2 A. As recently as last month.

3 Q. At that gathering, did members of the crowd  
4 destroy a fence and throw stones at Israelis?

5 A. Yes. I understand that happened at the end  
6 of the demonstration. I, by that time, was gone. But  
7 I saw footage of that.

8 Q. And did you do anything after you saw that  
9 footage?

10 A. No, I didn't. This is part of a weekly  
11 demonstration that takes place in -- in that area,  
12 has been for the last five years.

13 Q. Were you interviewed in the media in  
14 connection with that visit to Bi'lin --

15 A. No, I -- yeah, I was.

16 Q. -- and the demonstration there?

17 A. I was interviewed. And I also gave a speech.

18 Q. Did you tell -- were you interviewed by the  
19 Associated Press?

20 A. I believe I was.

21 Q. Did you tell the Associated Press, in words or  
22 substance, that: "This is huge. This is great. As a  
23 matter of fact, it should be encouraged."

24 A. I would want to be clear on what "it" here  
25 means.

1 Q. Okay.

2 A. "It" being nonviolent expression of rejection  
3 of the occupation and the settlement enterprise and the  
4 erection of the wall in our own territory, with emphasis  
5 on "nonviolent." And in that sense, I said it.

6 Q. Was destroying a fence and throwing stones at  
7 Israelis nonviolent?

8 A. No. It was -- this -- this happened at the  
9 beginning of the demonstration. I gave a speech. I  
10 gave an interview. And the -- this happened in the  
11 earlier part of the day, shortly after the Friday  
12 prayer. The whole event took about a couple of hours.

13 But the demonstration, as it normally does,  
14 lasted through most of that afternoon. And toward the  
15 very end, that -- that -- part of that fence was -- was  
16 torn. And I saw footage of that.

17 And in connection with the question that you  
18 asked me about what it is that I did about that, I mean,  
19 I should make it clear that the village does not fall  
20 under the security purview of the Palestinian Authority.  
21 We do not have any security presence there. We cannot  
22 have operations there in -- in a security sense.

23 But I -- as I made it clear then and I will  
24 repeat it to you now, this is a nonviolent, totally  
25 peaceful expression of rejection of the occupation

1 or settlement activity in our own territory. And it's  
2 something that I express support for. And that's what  
3 I was there for, joining our people in commemorating the  
4 fifth -- five years of -- of this brand of saying no to  
5 the occupation, completely peaceful, with participation  
6 by activists from all over the world, including Israel.

7 Q. Did you take any steps to find out who the  
8 individuals were who destroyed the fence and threw the  
9 stones?

10 A. No. I -- as I said to you, in terms of the  
11 activity that actually took place there and what goes  
12 on today as we speak, for example, is not something  
13 that falls within the security purview of Palestinian  
14 Authority under the agreement that we have with the  
15 Israelis.

16 Q. So the answer is no, you did not?

17 A. No, the answer is not. You know, I -- I  
18 didn't.

19 Q. Did you take part in a rally or a  
20 demonstration in January of this year, 2010, in which  
21 products manufactured in Jewish communities in the  
22 West Bank were burned?

23 A. I took part in an event in which products  
24 produced in Israeli settlements, in our land, were  
25 produced.

1 Q. Okay. And is there a difference between  
2 Jewish communities and Israeli settlements?

3 A. There is a difference.

4 Q. What's the difference?

5 A. Settlements -- the term "settlement" refers  
6 to an area where Israeli citizens have moved to live in  
7 and those areas happen to be all located in Palestinian  
8 territory that was occupied in 1967. Those, under  
9 international law, are illegal.

10 Goods produced therein are, therefore,  
11 illegal to trade in. This is the essence of the  
12 judgment that was passed, advisory opinion that was  
13 issued by the International Court Lahai, 2004, which  
14 affirms all of the settlement activity, economic  
15 activity in settlements, investment in settlements  
16 are illegal under international law.

17 And it is even the responsibility of third  
18 parties who may be involved in such activity to be  
19 considered accountable under international law. We  
20 Palestinians happen to be the people most adversely  
21 affected by settlement activity. And consistent  
22 with international law, we believe that activity is  
23 illegal and -- and goods produced there and traded on  
24 our market are contraband goods and are participating  
25 in that activity in the same way that contraband goods

1 are dealt with. They are disposed of in a manner that  
2 guarantees that they are not traded or peddled again  
3 to market.

4 Q. Now, you said that a settlement is when  
5 Israelis citizen -- when Israeli citizens come to  
6 live in the West Bank; correct?

7 A. Yes. And West Bank is territory that was  
8 occupied by Israel in 1967.

9 Q. But isn't it a fact that what you mean is  
10 Jewish-Israeli citizens?

11 A. I am very clear on what I said, Israeli  
12 citizens.

13 Q. Yes. If an Israeli Arab comes to live in  
14 Ramallah, is that a settlement activity?

15 A. The issue for me is political. It's not  
16 religious. And that's why I was deliberate in saying  
17 "Israeli." I have no -- the conflict is not religious.  
18 It's not really -- to me it's not a conflict --

19 Q. So you are --

20 A. -- based on religion. This is political.

21 Q. Are you opposed to Arab citizens of Israel  
22 living in the West Bank?

23 A. I am opposed -- I am opposed to, as  
24 international -- international law provides, any action  
25 by the occupying power, which is the State of Israel,

1 that alters the status quo in the territories occupied.  
2 These are obligations that the Community of Nations has  
3 accepted under various treaties, treaties that bind  
4 countries that are not even party to those treaties or  
5 countries that were not even in existence at the time  
6 those treaties were -- were formalized.

7 So yes, they are illegal. And to me, they are  
8 illegal. And the issue, I assure you, is not religious  
9 at all. And I cannot accept the premise of it. And  
10 to -- to refer to my rejection of that on -- on -- on  
11 religious grounds is something that I find completely  
12 unacceptable.

13 Q. Isn't it true, though, that at the rally  
14 the only products that were burned were products  
15 manufactured by Jews who live in the West Bank?

16 A. The products manufactured in Israeli  
17 settlements in the West Bank. Again, our land, the land  
18 where that State of Palestine is going to emerge, apart  
19 from that activity being illegal, it also prejudices  
20 our capacity to establish our state in a manner that  
21 is completely consistent with the political framework  
22 that governs our relationship with the international  
23 community, including the State of Israel.

24 So, again, I really reject -- and you'll have  
25 to forgive me on this. I utterly and most unequivocally

1 Q. Thank you.

2 He asked you some questions about the

3 Bi'lin --

4 A. Yes.

5 Q. -- demonstrations?

6 And you mentioned the wall and the security

7 control issues there?

8 A. Yes.

9 Q. Just because this deposition may be used in a

10 U.S. court where people have a little less familiarity

11 with the --

12 A. Yes.

13 Q. -- wall -- and I understand we could talk for

14 a long time. But could you describe what this wall is

15 and how it affects that community?

16 MR. TOLCHIN: Objection to the form of the

17 question.

18 MR. ROCHON: What's the basis for the

19 objection? What form --

20 MR. TOLCHIN: You have commentary in the

21 question. If you're going to ask him a direct question,

22 ask him.

23 Q. BY MR. ROCHON: You can answer the

24 question, Mr. Prime Minister.

25 A. The wall is referred to in different ways. We

1 call it separation wall. The Israelis call it a fence,  
2 security fence. It's about 700 kilometers in length,  
3 not complete yet. A good part of it is complete. In  
4 some areas, particularly in the north, portions of the  
5 wall are in -- are on what we call the Green Line or  
6 the boundary between the West Bank and Israel. But in  
7 many areas, the wall is well within the West Bank. The  
8 city or the village of Bi'lin is one such community that  
9 lost a lot of farmland because of the wall, because the  
10 path of the wall was planned well into the farmland of  
11 the village of Bi'lin.

12 A little over five years ago, the citizens of  
13 Bi'lin started to demonstrate against Israel's attempt  
14 to erect and build that wall. On a weekly basis, every  
15 Friday, they would do that in what became a tradition.  
16 And because of the nonviolent, completely peaceful  
17 nature of the demonstrations, that attracted a lot --  
18 the attention of a lot of people from all over the  
19 world, including Israel. Every Friday since it started,  
20 activists come from all over, including Israel, to  
21 join in solidarity with the people of Bi'lin in  
22 rejecting the erection of the wall on their farmland  
23 with some success.

24 They have, by themselves, actually petitioned  
25 Israeli legal system. And they won a ruling from the



1 High Court in Israel that led to altering the path of  
2 the wall partially. But that is yet to be implemented.  
3 So the protestation, you know, continues.

4 There were similar movements in many other  
5 communities in the West Bank which, like Bi'llin, lost  
6 or stand to lose farmland because of the path of the  
7 wall with a clearly substantial adverse impact on their  
8 livelihood, some -- sometimes separating people.

9 There are communities like that throughout  
10 the West Bank, including in the area of Bethlehem, for  
11 example, certainly Jerusalem. In the area of Salfeet,  
12 for example, the -- the wall gets way into the West  
13 Bank, tens of kilometers in the West Bank.

14 That's really our main objection to the wall.  
15 The Israelis decide that they need the wall to separate.  
16 We don't agree. But if they choose to have one, why  
17 can't it be built on the boundary between the West Bank  
18 and Israel?

19 The issue for us -- for the citizens of  
20 Bi'llin, for us Palestinians is where that wall is built.  
21 It is built in many areas of the West Bank well into  
22 our areas where our state is going to have to emerge if  
23 there's going to be lasting and just peace and security,  
24 not only for us, but Israelis in the region as well.

25 Q. You mentioned that the demonstrations in

1 demonstrations to be heavy handed and not justified.

2 We definitely concur in that.

3 Q. Despite the violence that has occurred that  
4 you've described, do you still espouse that these  
5 demonstrations related to the wall be peaceful?

6 A. We -- we insist that they be peaceful. We --  
7 we completely subscribe to a program of nonviolence.  
8 We are clear on this.

9 Every visit I have in connection with  
10 something that may appear to be telling of a prospect  
11 of deterioration in the security conditions, I always  
12 make sure that I, in my message to people wherever I go,  
13 to insist that the message of nonviolence be adhered to  
14 and nonviolence be adhered to and peaceful rejection of  
15 the occupation and its practices in settlement activity  
16 would remain strictly peaceful and nonviolent. It's --  
17 it's very important. And I'm on record having done so  
18 on every occasion for sure.

19 Q. And if there are instances of -- of violence  
20 that do occur by Palestinians against Israeli forces,  
21 how do you react to those?

22 MR. TOLCHIN: Objection.

23 THE WITNESS: Well --

24 MR. TOLCHIN: Time frame. When are you  
25 talking about?

1 Q. BY MR. ROCHON: You can answer the  
2 question.

3 A. I can tell you what I have done. Not long  
4 ago there was a -- I -- I'll give you some example.  
5 But not -- not long ago, maybe a month and a half ago  
6 probably, there was a stabbing of an Israeli soldier who  
7 died as a -- as a result of the stabbing in the north,  
8 not very far from Nablus -- to the south of -- of --  
9 of Nablus. I immediately condemned that in an official  
10 statement which was noted by everyone in Arabic, not  
11 translated into other languages, but in Arabic.

12 And I stand by that condemnation, which I  
13 made clear -- I mean I made -- I made sure it included  
14 my condemnation on the basis of the action being  
15 totally unacceptable and also inconsistent with  
16 commitments we had entered into and all of that risk.  
17 And that statement is -- it was condemnation without  
18 any qualification whatsoever. It was very clear. I'm  
19 very clear, you know, on this message of nonviolence.  
20 We -- we utterly reject it.

21 Early on in my tenure as Prime Minister, there  
22 was -- there was an incident in which two Israelis were  
23 killed in the Hebron area. And we pursued the matter.  
24 It's not only a matter of condemnation. By the way, the  
25 individual who stabbed the Israeli soldier to death is

1 in Israeli jail. The Israelis captured them.

2 But an incident that happened nearly two years  
3 earlier, a few months into my term as Prime Minister,  
4 two Israeli citizens were killed in the Hebron area.  
5 We captured the killers. We put them to trial. And  
6 they're serving a life sentence in a jail in Hebron  
7 today. So we take this very seriously. It's policy.  
8 Everybody knows it's policy.

9 Q. I want to now turn from that topic to the  
10 topic that was the main focus for your deposition today,  
11 which was the questions about the funding of Fatah.  
12 And we'd like to show you -- I can either do this as  
13 a series of exhibits or one large exhibit.

14 MR. TOLCHIN: What is it?

15 MR. ROCHON: It's documents that were -- that  
16 the Prime Minister looked at. And you -- you asked him  
17 what he looked at. I'm going to show him some documents  
18 and ask him whether these are the documents he looked at  
19 in preparing for his deposition. Your choice.

20 MR. TOLCHIN: Let me see what they are.

21 MR. ROCHON: They're all documents, for the  
22 record, that have been produced in response to the --

23 MR. TOLCHIN: I'll tell you -- I'll tell you  
24 what I'm -- what I'm going to say, and I'll tell you how  
25 you can work around it.

1 the --

2 Q. Yes.

3 A. -- incident?

4 It's really not -- not only that and it's  
5 not even only what I -- what I said in answer to  
6 Mr. Tolchin's question on -- on the incident. In  
7 terms of where we were, what it is that we really had  
8 to deal with, total lack of capacity, security agencies  
9 totally -- structures totally decimated. I mean, I use  
10 the expression of -- I said state of virtually complete  
11 disintegration, structures completely destroyed in the  
12 course of the Intifada by the Israeli Army. And there  
13 was just really nothing to -- to work with.

14 Q. You know, we have a general familiarity with  
15 the issues related to the Israeli security services,  
16 the -- and what happened during the Second Intifada.

17 But, again, just to give -- when you say  
18 they were totally destroyed --

19 A. Yeah.

20 Q. -- give some examples of -- when you say  
21 "totally destroyed," are we talking -- what?

22 A. You know, quarters of security offices,  
23 headquarters everywhere throughout -- I mean, they  
24 were completely destroyed.

25 I was, for example, earlier today in Nablus

1 where we're rebuilding now the headquarters of security  
2 in Nablus. You go there, as you enter the city, you  
3 see to your left a structure that is being built and  
4 rebuilt -- rebuilt now. It was completely leveled  
5 by an air strike. Israeli Air Force demolished it  
6 completely. Such structures were -- were completely  
7 destroyed. Security services did not really have  
8 anyplace to go after years of this.

9 So that's what we really have. We are --  
10 when we started doing what we have been doing now and  
11 spending a good deal of time doing, we had to house  
12 security personnel in -- in caravans and makeshift  
13 quarters and -- and all. To this day, that still  
14 exists because we're not done with building a permanent  
15 housing for their offices and operations. Equipment  
16 totally destroyed, communication, what have you.

17 Q. What about files?

18 A. Definitely. For sure. I mean, completely  
19 destroyed. That's -- and not -- not only, by the way,  
20 files and destruction of documents. So that was not  
21 related only to security.

22 In the course of the Israeli incursions --  
23 military incursions into the West Bank that occurred --  
24 or started to happen in the spring of 2002, a lot of  
25 documents were destroyed and/or lost, damaged. There